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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                   UNITED STATES OF AMERICA,

11                   Plaintiff,

12                   v.

13                   THOMAS GREGORY SMITH,

14                   Defendant.

CASE NO. CR05-224C

ORDER

15                   The Court, having considered the stipulated motion of the parties for continuance of pretrial  
16 motions date and trial date (Dkt. No. 26) and the records and files herein, the Court hereby makes the  
17 following findings:

18                 1.         The Court finds that Defendant has executed a speedy trial waiver through April 30, 2006  
19 (Dkt. No. 27).

20                 2.         The current pretrial motions deadline is October 13, 2005 and the current trial date is  
21 November 14, 2005.

22                 3.         The Court finds that a failure to grant the continuance requested by the parties would deny  
23 counsel the reasonable time necessary for effective preparation, taking into account the exercise of due  
24 diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

25  
26 ORDER - 1

1       4. The Court further finds that the ends of justice will be served by ordering a continuance in  
2 this case, that a continuance is necessary to insure effective trial preparation and that these factors  
3 outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. §  
4 3161(h)(8)(A).

5           IT IS THEREFORE ORDERED that the time within which pretrial motions must  
6 be filed in this case is extended from October 13, 2005 until March 9, 2006, and the trial date is extended  
7 from November 14, 2005 to April 17, 2006.

8           IT IS FURTHER ORDERED THAT the time period between the date of this Order and the new  
9 trial date is excludable time, pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) for the  
10 purposes of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161–3174.

12           SO ORDERED this 9th day of November, 2005.

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John C. Coughenour

16           United States District Judge